



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Post Office Box 1306
Albuquerque, New Mexico 87103

In Reply Refer To:
FWS/R2/ES-ARD/065501

APR 24 2017

Mr. Alan Glen
Nossaman LLP
816 Congress Avenue, Suite 970
Austin, Texas 78701

Dear Mr. Glen:

We acknowledge receipt of your letter dated February 22, 2017, providing notice of intent to sue regarding an alleged violation of the Endangered Species Act (Act) for failure to issue a 12-month finding on the petition to delist the federally endangered American burying beetle (*Nicrophorus americanus*) (beetle).

As you may be aware, the Service has been working diligently to address the backload of petition findings and resolve the status of over 250 candidate species agreed to under the Multi-district litigation (MDL) settlement agreements. In addition to directing most available staff and resources toward implementing the court-approved MDL settlement agreements and completing a number of additional court-ordered actions, we are working on a Species Status Assessment (SSA) for the beetle. The SSA is currently in a peer review process to verify that we are using the best available science in assessing the species' status. Once peer review has been completed and the SSA report is finalized, we will use that analysis to guide and support decisions for the beetle's status, including a 12-month finding. This summer we will prepare a draft finding and anticipate that it will be submitted to the Federal Register by December 2017.

We appreciate your continued interest in American burying beetle conservation and efficiently implementing the Act. If you have any questions concerning this matter, please contact Ted Koch, Assistant Regional Director, Ecological Services, at 505-248-6671.

Sincerely,


ACTING Regional Director